

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,
HELD THURSDAY, MAY 8, 2014

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, May 8, 2014, at 6 p.m., in the Council Chambers of the Municipal Building, there being present:

President:	Russell
Councilpersons:	Culver, Olshefski, Kling, Showers
Mayor:	Battle
City Administrator:	Hamilton
City Attorney:	Joffrion
City Clerk-Treasurer:	Hagood

President Russell called the meeting to order

Chaplain Frederick Woods, Disciples of Christ Ministry, led the invocation; members of Boy Scout Troop 102, First Missionary Baptist Church, Mr. Vern Spearman, Scoutmaster, led the pledge of allegiance.

The minutes of the Regular Meeting of the Council held on April 24, 2014, were approved as submitted.

President Russell stated that the next item on the agenda was Resolutions and Special Recognitions.

President Russell recognized Mayor Battle.

Mayor Battle asked Mr. Terry Hatfield, Director of Public Works, to come forward. He stated that there was a resolution naming the current week as National Public Works Week. He

asked Mr. Hatfield to comment on this.

Mr. Hatfield stated that each year there was always one week when the Public Works departments were recognized. He stated to Mayor Battle that this was certainly appreciated, noting that the Public Works employees were hard-working and very dedicated, and that on behalf of them he appreciated this recognition.

Mr. Hatfield stated that there two persons present who were on the Public Works Board and asked them to come forward, being Mr. Billy Southard, whom he noted worked in the Public Works Department as a superintendent, and Mr. Tom Cunningham. He stated that he believed Mr. Cunningham wanted to make a presentation at this time.

Mr. Cunningham stated that it was a pleasure to be present at this meeting, noting that he represented APWA, the American Public Works Association, which he noted was a 30,000 member organization, with members in Canada and the United States. He stated that its purpose was to provide resources, training, communication, technology, and just information to assist public works professionals in making their jobs more efficient and effective. He continued that this was a great organization.

Mr. Cunningham stated that each year APWA recognized a week out of the year as National Public Works Week. He continued that the primary purpose of this was to bring public awareness to the contributions that were made by the public

works people throughout the country, noting that the public should be aware that Public Works did have a great impact on persons' daily lives, whether they were fixing the streets, resurfacing, picking up trash, mowing the grass, et cetera. He stated that these persons were often not recognized for the contributions they actually made. He stated that at this time they wanted to commemorate and make aware to the public the contributions from Public Works.

Mr. Cunningham stated that he would like to present Mr. Hatfield with a framed poster from APWA commemorating May 18-24, 2014, as National Public Works Week and thank him for his contributions and that of his staff in making Huntsville a better place and enhancing the quality of life in the city.

Mayor Battle stated that many persons did not realize that Public Works employees were unsung heroes, that they were the ones who got out when the ice and snow came and scraped the roads and had them ready to go on the following morning, noting that they stayed up all night doing this or they would sleep at the Public Works facility so they could get up early in the morning and get out and get this done. He stated that these persons picked up garbage, fixed potholes, resurfaced streets, that they had the basic infrastructure of the city and they took care of it in a great way.

Mayor Battle thanked Mr. Hatfield for the work he did and asked him to thank his entire crew for their work. He stated

that Joy McKee was a part of this crew, and there were several other persons they could mention who did a fantastic job.

Mayor Battle asked Mr. Bill Steiner, Director of the IT department to come forward. He continued that there were some young cyber warriors present at the meeting. He asked Ms. Christine Sutton to come forward and bring the young cyber warriors with her.

Mayor Battle stated that this group had first come to national attention approximately a year prior when Dynetics had had a cyber competition, which had had students from all over the world competing. He stated that this team had come in No. 2 in that competition, and it was the first big competition they had ever entered. He continued that they had come in No. 2 in the world, not in the nation, and not in the state, but in the world.

Mayor Battle stated that recently they had had another great success. He asked Ms. Sutton to tell about this success.

Ms. Sutton stated that it would probably be best to let the team captain explain it, because he had been there. She stated that as the coach, she got to be there and support them, but that during the competition, she was not allowed to even talk to them. She continued that they were isolated and put in a position where they would be challenged. She continued that they were given really extraordinary tasks they had to perform to demonstrate their abilities. She reiterated that this was done totally independently. She stated that she would let

James, the team captain, talk to them and introduce the rest of the team members.

James Brahm stated that the Cyber Security Team at Grissom participated in a number of competitions, the biggest of which was CyberPatriot, which he noted they had gone to Washington, D.C. to participate in this, to compete in this competition. He stated that there were somewhat under 3,000 teams registered for this, noting that it was the largest cyber security competition for high schoolers in the world. He continued that they had placed second in the nation at finals, noting that they were thrilled about this.

Morgan Wagner stated that she validated and coordinated documents and resources for the team, that she helped with the battle plan.

Jeramy Lochner stated that he was the networking guy for the team.

Christopher Lin stated that he was the digital forensics specialist.

Matthew Rogers stated that he was the Microsoft Windows specialist for the team.

Frank Sutton stated that he was one of the mentors that helped the team.

James stated that they had a number of great mentors from the community, including Mr. Sutton, and Mr. Harrison, who was also present, in addition to their wonderful coach, Ms. Sutton. He stated that they had had a lot of support from the

community, noting that, in fact, in the summer, several of their team members had job opportunities at Dynetics and Huntsville Utilities. He stated that the team really appreciated Huntsville being a great environment for them to do this type work.

Mayor Battle stated that Huntsville was an engineering town, a high tech town, but that they were only as good as the workers who would come out of the school system, the education system. He stated that they competed not only on a Huntsville, Alabama, platform, or an Alabama platform, or even a United States platform, but worldwide, that they competed with the students who were coming out of India and out of China and Germany, that they competed on a day-to-day basis, to see who was the best, who was the brightest, who was the smartest, who could carry the industries on. He stated that these were the guys who were going to carry the industries on for the next couple of decades. He stated to the team members that they were going to be counted on to do this. He stated that this was some of the best and the brightest, having come in No. 2 in a competition with 3,000 teens. He stated that this was something that persons in the city of Huntsville could be very proud of. He thanked the team members for their efforts, noting that they had done a great job. He stated that they should go off to college, have a great time, make great grades, but then come home to Huntsville, noting that they were needed to keep the city moving forward. He thanked them for all their

efforts.

Mayor Battle asked Ms. Sara Crocker and Chief Harry Hobbs to come forward for the presentation of the CAFY/Star 99.1 Young Citizen of the Month.

Chief Hobbs stated that staying in the same stream of youth doing great things in the area of technology, he wanted to introduce the Young Citizen of the Month for May, Chandler Foster of New Century Technology High School. He stated that Chandler had scored 33 on his ACT and had just received a Presidential Scholarship from Auburn University. He stated that he had really applied his mind, that he was part of Green Power Team U.S.A., a green power vehicle Team that had gone to Europe twice and were going again later this year. He stated that they had finished in the top 35 of all vehicles that were made by green power.

Chief Hobbs stated that they were very impressed with Chandler, continuing that he had given back during the 2011 tornado relief effort, and that he continued to mentor other young persons in the community. He stated that he really exemplified what persons wanted to have in the community, that he gave back, he helped others, and he strived to be the best he could be.

Ms. Crocker congratulated Chandler, stating that this was a big honor for him and he was an awesome young man. She stated that they had a certificate for him, noting that it read as follows: "CAFY/Star 99.1 and the Human Relations Commission

of the City of Huntsville are proud to honor Chandler Foster as the CAFY/Star 99.1 Young Citizen of the Month."

Mr. Buzz Stephens of Star 99.1 stated to Chandler that he was setting the foundation for the future of the country and they wanted to thank him for everything he had done. He continued that he was presenting him with a small token of appreciation.

Mr. George Dugan of DynCorp International stated to Chandler that it was wonderful to see him, along with the other young folks. He stated that everything he had done for the community was absolutely wonderful and that what he had done to lead other young people down the same path was outstanding. He thanked him for this and made a presentation to him.

Chief Hobbs presented a Coin of Excellence to Chandler, on behalf of the CAFY Foundation.

Mayor Battle asked that the Council add to the agenda an ordinance amending the Arts and Entertainment District Ordinance.

President Russell moved to place on the agenda an ordinance amending the Arts and Entertainment District Ordinance, which motion was duly seconded by Councilman Showers.

President Russell called for the vote on the above motion, and it was unanimously approved.

President Russell stated that the item would be added to the agenda under New Business Items for Introduction, as 14.d.

Mayor Battle stated that at the prior meeting of the Council, the Business Relations Officer position for the Mayor's office had been approved by the Council. He stated that at this time he would like to ask for Council approval for the appointment of Harrison Diamond to the position of Business Relations Officer, Grade 19, Step 4. He stated that many of them knew Mr. Diamond, that he had been with the Chamber of Commerce for a number of years. He stated that he was a young, bright mind, one of the young professionals in the city, and one of the first persons under 30 they had ever had in the Administration. He stated that it would be nice to have this young, bright mind. He stated that Mr. Diamond had been in some Leadership programs throughout the area, that he had a Master's in Public Affairs from the University of Alabama in Huntsville and a B.A. in Communications and Information Sciences from the University of Alabama.

Mayor Battle stated that he was asking permission to make this hire as of June 1.

President Russell moved to approve the appointment of Harrison Diamond to the position of Business Relations Officer, Grade 19, Step 4, as of June 1, 2014.

Said motion was duly seconded by Councilman Kling.

Councilman Showers stated that Mr. Diamond was in the audience and asked that he stand and be recognized.

President Russell welcomed Mr. Diamond.

President Russell called for the vote on the above motion,

and it was unanimously approved.

Councilman Showers read and introduced a resolution recognizing the Union Chapel Missionary Baptist Church Weekend of Worship and Praise, celebrating 25 years of faithful service of Pastor and Sister O. Wendell Davis, May 16-18, 2014, to be held at the Von Braun Center and Union Chapel Missionary Baptist Church, as follows:

(RESOLUTION NO. 14-312)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Culver.

President Russell called for the vote on the above resolution, and it was unanimously adopted.

Councilman Showers stated that he would like to read portions of the resolution. He read from the resolution that Union Chapel Missionary Baptist Church would have a weekend of worship and praise on May 16 and worship services on May 18, 2014, celebrating 25 years of faithful service by Pastor and Sister O. Wendell Davis. He stated that the theme for the appreciation celebration was "Celebrating the Past, Embracing our Future in Christ." He stated that there would be a fellowship dinner at the Von Braun Center, North Hall, on Friday, May 16, at 7 p.m., and that they would conclude with a praise and worship services on Sunday, May 18, in the Union Chapel Missionary Baptist Church sanctuary, at 7:45 a.m. and 310:45 a.m.

Councilman Showers stated that at the event he would read the resolution in its entirety, on behalf of the Mayor and the Council.

President Russell read and introduced a resolution congratulating Dr. Byron C. Hulsey, Eighth Head of School at Randolph School, noting that he would become Head of School of Woodberry Forest School in Virginia, his Alma Mater, effective July 1, 2014, as follows:

(RESOLUTION NO. 14-313)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling.

President Russell called for the vote on the above resolution, and it was unanimously adopted.

President Russell stated that the next item on the agenda was the presentation concerning United Cerebral Palsy Services in Huntsville by Ms. Cheryl Smith.

Councilman Kling stated that Ms. Smith would give just a brief overview of the outstanding services that United Cerebral Palsy Services offered. He stated that he would reserve his comments until after Ms. Smith's presentation.

Ms. Smith thanked the Council for the opportunity of appearing before them for this presentation. She stated that she was with United Cerebral Palsy in Huntsville, noting that they had just recently concluded their 50th year of service in North Alabama. She stated that she had presented bags to the Council members and Administration, with a small token of their

50 years of service.

Ms. Smith stated that her group was very thankful to Councilman Kling for donating a very unique item to their auction, noting that this event was their largest fundraiser to benefit the local community. She stated that they would also like to thank the entire Council and Mayor Battle for providing the governmental funds that were their Medicaid and State and Federal grant match dollars. She stated that she wanted to thank all of them, as well as the community, for allowing them to help individuals with disabilities in the community, and their families, to be able to live, learn, work, play, and be fully included in the community.

Ms. Smith stated that this organization served all disabilities and all ages, noting that they were best known for their therapy services. She continued that they had a lot of family support, working with a lot of parents to learn how best to support and advocate for their children's needs. She stated there were three statewide programs that persons might not be aware of that they might have benefitted from. She stated that they did quality childcare training in the area, noting that if one had a child in a local daycare center, one would most likely have benefitted from their training programs to improve the quality of all the daycare services, including special unique learning challenges.

Ms. Smith stated that they also provided a respite program, noting that the Governor had appointed them as the

State lead on this. She continued that they supported caregivers and their loved ones so that persons could remain in the home for as long as possible. She continued that they tried to prevent out-of-home placements, which she noted were quite costly. She stated that they liked to keep families intact.

Ms. Smith stated that they served patients with aging disabilities, including Alzheimer's patients, in addition to addressing patients with needs acquired from birth, as well as the needs of persons involved in car wrecks, and needs resulting from other acquired disabilities.

Ms. Smith stated that if persons needed these services, they should give her a call.

Ms. Smith stated that they also had their technology program for assessments, noting that they were very proud of their technology and what the space industry had done to commercialize this so that individuals with disabilities could benefit. She continued that they gave away equipment to persons who were in need of it, and that they asked if persons no longer needed a wheelchair, walker, or hospital bed, et cetera, to please donate these, and they would get them back out in the community free of charge.

Ms. Smith thanked Ms. Debbie Reed Batson for the unique gift she had given a very special person in her life.

Councilman Kling stated that it was his pleasure to announce that the high bidder for the City Council Person for a

Day was Ms. Batson, who had gotten it as a gift for her mother, Ms. Jackie Reed, noting that Mother's Day was coming up on the weekend. He asked Ms. Reed to come to the podium, stating that she could sit by him.

Councilman Kling stated that he had a certificate to present to Ms. Reed, recognizing this event. He stated to Ms. Reed that he wanted to wish her a Happy Mother's Day and stated that he was glad to have her on the podium with him.

Ms. Reed thanked Councilman Kling, stating that she had been longing to be on this side of the desk for many, many years. She stated that she would like to thank her family, her son, daughter, daughter-in-law, and two grandsons, for their support over the years that she had been attending Council meetings.

President Russell stated that items 15.a, 15.t, and 15.v had been deleted from the agenda. He stated that the Administration had asked for unanimous consent on items 14.b, 14.c, and 14.d so that these items could be voted on at this meeting.

President Russell stated that the next item on the agenda was Public Hearings to be Held.

President Russell stated that it was the time and place in the meeting for the continuance of the public hearing on the appeal of Mr. Tommy Howell, appealing the decision of the Liquor License Review Committee denying a retail liquor lounge entertainment license to Club Upscale, LLC, d/b/a Club Upscale,

at 2021 Golf Road, Huntsville, AL 35802, at the March 6, 2014, Liquor License Review Committee Meeting, which hearing was set at the March 13, 2014, Regular Council Meeting, and continued at the April 10, 2014, Regular Council Meeting, until this date.

President Russell asked if there was anyone present in the audience who would like to explain why they needed this license, if there was anyone present from Club Upscale.

Mr. Dewey Brazelton, 1311 Governors Drive, Southeast, appeared before the Council, stating that he owned this real estate and was leasing it to Club Upscale. He stated that they had been denied a license and, therefore, they had appealed it to the Council, in order to get a license. He stated that he had purchased this property in 1970, that he had had it 44 years, and that it had been a club, had been a place of assembly, for 44 years. He stated that they had been giving them a hard time about getting this license, and that he had met with the City Attorney and several other persons, and he had told them that they needed to give them a license or they could buy the property, and that he would sell it to them for 50 cents on the dollar, but that if he had to go to court, it would be full price.

Mr. Brazelton stated that he believed there were some other persons in the audience who wanted to speak who would like to have a club at the location.

Ms. Terri Michal, 115 Mill Creek Crossing, Madison,

appeared before the Council, stating that she actually had a lot of knowledge of this subject because she was a DJ, that she had been a DJ for 13 years and had worked in the building under discussion, that she had been familiar with it for at least the last 10 years. She stated that there were some things that she felt were important for the Council to know and that she hoped that after learning this information, perhaps they would decide to take another vote on this matter.

Ms. Michal stated that one thing that most people were not aware of was that since Vieux Carre had closed down, the GLBT community had had no place to go where there was a dance floor. She stated that they desperately needed a dance floor, because at this time these persons either went to Nashville or to Birmingham and spent their money or they went to other straight clubs in the city. She stated that the problem with this was that it was not their community, and that there were misunderstandings at times between the two communities. She stated that she knew personally that it had been very dangerous for the GLBT community to be in these other clubs. She stated that her friend Brian had had his head rammed through a car window because he was in the wrong place.

Ms. Michal stated that this building was important to the GLBT community, that they were familiar with the building, that there was history there. She stated that they talked a lot about history in the city and noted that it was not just the mainstream that had a history. She stated that in the past

when this had been an GLBT club, she did not believe there had been many problems, although, of course, at every club there were some problems. She continued that she did not believe the history of serious problems had been under the GLBT community. She stated that everyone involved in this project understood that it would have to be run clean and run professionally in order to get people to the club. She stated that she believed this was going to be a good addition to the community, that it would be an addition to Huntsville because of the revenue that it would bring in, that people would stop going out of the city and they would stay in the city and spend their money.

Ms. Michal stated that she also wanted to talk about the history of the building, noting that she did not believe any of the Council members had probably ever stepped in the building. She stated that it was a beautiful building and that it had a rich history of entertainers, that famous entertainers had entertained on that stage. She continued that it was a beautiful and unique building and that it had a beautiful view.

Ms. Michal stated that one of the biggest problems was parking, noting that she had had a party there about three years prior and had had 450 people. She stated that she understood that at this time Mr. Brazelton had met those needs in parking. She stated that she really felt strongly that this was a safety issue, that the GLBT community needed it, and that she also believed it would be a money-making prospect.

Ms. Michal stated that when she had first moved to

Huntsville, two buildings had stood out to her, with one being the old library downtown and the other being the subject building on Golf Road. She stated that, unfortunately, the old library, which had been such a unique building, was no longer there. She asked the Council members to please understand the history, and respect the history, of the building on Golf Road and what it meant to a certain community in the city and why it was so desperately needed by them.

Ms. Linda Ferguson, 2225 Golf Road, Unit 214, appeared before the Council, stating that she was President of the Homeowners Association for the 100 units in the area in which she lived. She stated that after the prior Council meeting where she had commented on this matter, she had talked with Mr. Dewey Brazelton after the meeting, and he had explained to her that this was, in fact, going to be a gay club, and he had promised her that they would place signs stating that persons could not park on her property and that there would be an off-duty police officer on duty.

Ms. Ferguson stated that because of the bad history, along with what residents in the area had had to go through in the prior four years, everyone was still up in arms about this, because of the noise and the beer bottles being thrown over their fences, noting that they had to pay extra money to have someone come and clean up their property when they were already paying \$200 a month in Homeowners Association fees. She stated that persons just did not want the club up there.

Ms. Ferguson stated that she was sympathetic to Mr. Howell because she felt it would be fine if it was a gay club, noting that there had been a gay club there when she had first moved to the area 10 years prior and they had had no problems at that time. She asked, however, in the long range, how long would it be a gay club, or when it would revert back to being leased to anyone and everyone who wanted to go up there and have a party and destroy the whole neighborhood. She stated that they were looking at the long term on this, not just the short term.

Ms. Ferguson stated that she had talked to the residents in the area after the last meeting to let them know what Mr. Brazelton had said, concerning help with the safety features, et cetera, and that they were all still opposed to this, because of what had happened in the prior four years, in particular.

President Russell asked Ms. Stamper to get Ms. Ferguson's petitions.

(Submission by Ms. Ferguson)

Ms. Carolyn Woolnough, Sutton Place, appeared before the Council, stating that she could confirm, as Ms. Ferguson had stated, that it got very, very noisy up there, and that it was unpleasant. She stated that her window looked out directly on the building, and that she had seen persons urinating in the parking area just under her window. She stated that she understood that Golf Road was not sufficient for the traffic, that it was only two lanes, and the police had said that it was

not enough to have that sort of traffic up at the top. She stated that this was not a good place for this.

President Russell asked if there was anyone else in the audience who would like to address the Council on this issue.

There was no response.

President Russell asked if any of the City departments would like to be on the record, the Clerk-Treasurer's Office, Zoning Administration, or the Fire Marshal.

Mr. Dennis Cole appeared before the Council, stating that he was with the License Review Committee. He stated that he would like to give a license history of the subject location. He stated that since 1996, they had received four applications for a lounge, with live entertainment, at this location. He stated that the previous applicants had been denied for various reasons. He stated that through the same time period, since 1996, the License Review Committee had approved several restaurant licenses. He stated that a lot of people kept referring to it as a "club license," but stated that what they had been issuing for the location was a restaurant license.

President Russell asked if there were any other City departments who would like to be on the record.

Mr. Jim McGuffey appeared before the Council, stating that he was the Zoning Coordinator. He stated that they had denied the license based on parking, for the reason that this particular application was a 60 percent ratio, noting that as a lounge, this was based on occupant load. He stated that with

the requested occupant load, they had gotten down to 586, which he noted would require 352 parking places. He stated that there were currently 205 parking places, so it was deficient over 100 parking places, which was the reason they had denied the application.

Mr. Dewey Brazelton again appeared before the Council, stating that the persons who were complaining had moved up there beside the club, that the club had been there when they had bought a place or moved in and that they knew there was a club there. He continued that Councilman Culver and he had gone to the location on the prior day, and Councilman Culver had counted the parking places and had counted 358. He stated that that was how many parking places they had at this time. He stated that when Mr. McGuffey had counted the parking places, they had not been lined off, that markings were missing, and he really would not have been able to tell on this. He stated that they had now marked the spaces off, and there were 358.

Mr. Brazelton stated that if any of the Council members had any questions of him, he would be happy to answer them.

Councilman Culver stated that he certainly had heard what the residents were saying concerning this situation on Golf Road. He stated that he did want to say that he had known the Brazeltons for some 30-plus years and that they had always been outstanding citizens in the community. He stated that he was aware that Mr. Brazelton had had multiple businesses in

Huntsville, some of which he had frequented in the past, and they had been very well-run establishments.

Councilman Culver stated that he did want to say to the community, and the HOA president, that he understood they were okay with a particular club going in the location. He continued that they did not want to judge what might happen with this particular club based upon some bad experiences in the past.

Councilman Culver stated that he had nothing but the utmost confidence in Mr. McGuffey in everything he was doing with the City, and also the things he had done for him personally. He continued that, however, he was concerned about the parking issue, because he knew that they, the City of Huntsville, could not violate their own ordinance. He stated that when Mr. Brazelton had contacted him, he had gone to the location, and they had walked the area.

Councilman Culver stated that he wanted to share what he had found concerning the parking spaces that were marked off. He stated that if one stood directly in front of the building, on east side 1, there were approximately 6 spaces on one side and 5 on the other side, and then there were 10 spaces. He continued that east side 2 had approximately 94 spaces, noting that the pool had been closed in and there were 26 spaces in the pool area. He stated that these were all spaces that were not the added spaces. He continued that if one went to the west side of the building, the right side, there were

approximately 93 spaces on west side 1, and then a little further west there were approximately 77 spaces. He stated that these were spaces that had been originally designated as spaces. He stated that then when one came down to the east side of the building, in front of the building, there had been 71 new spaces added. He stated that with all these spaces, he had come up with 358 spaces.

Councilman Culver stated to Mr. McGuffey that perhaps he would be able to go back to the location and revisit this situation, noting that he did not know if the new spaces had been factored in. He stated that Mr. Brazelton had created parking in front of the building where the grass had been and that he had created that same amount of green space further back to the south side of the business, in order to save green space. He stated that unless he was in error, that, seemingly, there might be enough spaces there, perhaps seven or eight more spaces than would be required. He asked Mr. McGuffey if he would have the opportunity to perhaps go back and revisit this situation.

Mr. McGuffey stated that they would surely like to revisit it if Councilman Culver felt it was necessary. He continued that, however, they had counted the spaces during the current week, after the striping. He stated that the issue they had was that they could not count any of the gravel spaces, due to the fact that they were installed without their knowledge and that the ordinance stated that if the parking lot was improved

more than five percent, the entire parking lot must be in compliance with lighting and landscaping. He continued that the parking lot was not compliant with lighting and landscaping, so that by adding these spaces, it was actually making it worse from a zoning ordinance perspective.

Councilman Culver asked what it would take for the spaces to be in compliance.

Mr. McGuffey stated that, first of all, there were no lights in the parking lot, so that there was no lighting, and that landscaping had been lost due to the increase in parking spaces. He stated that he did not know what the numbers were in order to say what the issues would be, but they would definitely have to add lights, and most likely have to add more landscaping.

Councilman Culver asked Mr. Brazelton if he would be able to accommodate this.

Mr. Brazelton stated that, first of all, Mr. McGuffey was wrong. He continued that he had paid the Utility company for 34 outside lights in the location. He continued that that had been going on for 30 years. He stated that there were two street lights right in front of the part where they had just put the gravel, so that there were 36 lights in the parking lot. He stated that evidently Mr. McGuffey had gone in the daytime rather than going at night.

Councilman Culver asked Mr. McGuffey how many additional lights might be needed.

Mr. McGuffey stated that he was not certain how many lights would be needed to satisfy the ordinance, that an engineer would have to calculate that information.

Councilman Culver stated that what he was getting at was that rather than to see an empty building, which could become an eyesore, that there could be some use out of it, especially since this particular club had not been problematic for neighbors in the past. He continued that the employment of an off-duty officer or two most likely would assist in rectifying a lot of the concerns. He stated that he was hoping that somehow they could work with Mr. Brazelton on this matter.

Councilman Culver stated to Mr. Brazelton that he would also have to work with the City to try and make this property workable in terms of, from what he understood, just a couple more lights and some landscaping, to get it in compliance.

Mr. McGuffey stated that if that was the option that Mr. Brazelton chose to go, but still if he was deficient in parking, the only additional remedy would be the Board of Adjustment, to apply for a variance for parking, for insufficient parking.

Councilman Kling stated to Mr. McGuffey that they had heard there were 358 parking spaces. He asked how many parking spaces were required for this to be in compliance.

Mr. McGuffey stated that it would be in compliance if there were indeed 358 parking spaces. He stated that they needed 352, based on the occupancy load of 586.

Councilman Kling stated that he wanted to make sure he understood this. He stated that based upon what they had heard from the residents, that the format of the club being discussed was not a problem, that it had historically been quiet for the neighborhood. He stated that he believed the issue that was coming up was that the liquor license would not restrict that format, and that while that format was quiet and compatible with the neighborhood pretty much, there was nothing that would prohibit it from changing to a rock-and-roll format, or something with loud people coming in and out. He asked if someone could confirm this or tell him he was wrong about this.

Mr. Joffrion stated that that was correct.

Councilman Kling stated that based upon the history of the neighborhood, he was not going to support this license. He stated that previously there had been some discussion about the City purchasing this facility, noting that it could be a great neighborhood asset, and that, of course, it would get the club out of the equation. He stated that there was a possibility that the building could be utilized as a recreational facility, or, if not, the area would make a beautiful park. He stated that this was an idea he would certainly find agreeable.

President Russell asked if there were any other departments that would like to be included on the record.

Assistant Fire Marshal George Daigle appeared before the Council. He stated, concerning the history of the building, that Mr. Brazelton had asked them to come out and do a

calculation for an occupant load, and that was where the 586 occupant load had come from, noting that it was by the use and the floor plan of the building.

Assistant Fire Marshal Daigle stated, concerning Fire Department Issues, that without proper parking, many times there would be on-street parking, which he noted could affect their fire-fighting capabilities for the adjacent apartments.

Sgt. Mark Roberts of the Huntsville Police Department appeared before the Council, stating that he wanted to talk a little bit about the impact involved in this matter. He stated that he believed some persons might get confused about what was being requested. He stated that the license that was applied for at this time was for alcohol and entertainment only. He stated that since 1996 at the Plush Horse, there had been a restaurant with entertainment and alcohol. He continued that the usage had changed.

Sgt. Roberts stated that in the past, since 1996, they had actually denied this type license at this location, noting that the owners had resolved this by changing to a restaurant with entertainment. He stated that when they were talking about a lounge with just entertainment, these were the ones in the history of Huntsville they had always had the most problems with, noting that they were there for one reason, and that was drinking. He stated that the City's zoning ordinances had always put such entities away from residential neighborhoods in the past.

Sgt. Roberts stated that this was a unique situation in that the zoning of the subject area was Heavy Industry. He stated that, however, one could see that what surrounded this club was strictly 100 percent residential. He continued that this club was one of the largest clubs in the city occupancywise. He stated that persons would usually be there for one thing, drinking, that they would not be there for eating.

Sgt. Roberts stated that Councilman Culver had said that they had never had problems at that location but stated to Councilman Culver that they had had problems at the location, on numerous occasions. He continued that he wished Councilman Culver could be there when his phone rang at night, concerning the parking issues. He stated that one of the biggest problems they had had at the Plush Horse for the entire history had been parking, noting that they had never had enough parking. He stated that this had been grandfathered prior to this time, noting that it had been in existence so long that the old parking regulations held for the club. He continued that they had met these requirements in the past. He stated that they had changed these regulations because of the problems they had had at lounges with alcohol. He continued that they had boosted those up to 60 percent, noting that one could see the problems they had had.

Sgt. Roberts stated that the majority of the problems that had happened at the subject club had happened in the parking

lot and associated with all the residents around the area. He stated that when the parking lot got full, the persons would park in the condo parking lot, noting that these residents had called him every night concerning this matter. He stated that the residents had had to literally impound those vehicles themselves, and that they were threatened by the persons that parked there. He stated that there had been shots fired in those parking lots, in their condominiums or their apartments, by persons who were associated with the club.

Sgt. Roberts stated that what he was saying was that this did impact the area. He stated that he realized that in the past this club had been grandfathered. He continued that they had denied these type licenses in the past.

Sgt. Roberts stated that he also wanted to talk a little bit about the area. He stated that at this time, the Huntsville Police Department had started an initiative, that they had started it at Golf Road. He continued that they had started an initiative on crime and quality-of-life issues, to make that a better place.

Sgt. Roberts stated that this was one impact that would result in more calls for service and more crime and more persons moving out of the area.

Sgt. Roberts stated that they had been consistent in the past to deny these type licenses when it upset neighborhoods. He continued that he would give an example of this. He stated that they had just gone through this in denying a license that

was impacting a neighborhood in Councilman Culver's district. He stated that it had the proper zoning, but it was impacting that neighborhood negatively, and they had denied that license. He stated that Councilman Showers had had a club in his district on Max Luther many years prior, and that it was going to be a large-scale club that would impact an assisted living in the area, and they had denied that license, and that Councilman Showers was one of the proponents of that. He stated that they had also had a license not too long prior that was going to be on South Parkway that was going to impact that residential neighborhood negatively, and they had denied it. He stated that President Russell was aware of what it had been like in Five Points, with the parking, and stated that they had taken care of those problems with ordinances that affected that.

Sgt. Roberts stated that what he was saying was that they had always protected their neighborhoods in the past. He stated that he believed this was one time that they might be able to make a difference if they did not approve this license, for that reason.

Sgt. Roberts stated that if they were to get this license, rather than a restaurant or a different type of license, they could not hire an off-duty officer, because they were not allowed to work at these type establishments.

Sgt. Roberts stated that one could see the history of this, noting that they had been very consistent about

protecting the neighborhoods.

President Russell asked if there was anyone else who wished to address the Council on this particular issue.

There was no response.

President Russell asked Mr. Joffrion if he could advise the Chair as to whether he had met all the requirements of a public hearing.

Mr. Joffrion replied in the affirmative.

President Russell stated that the public hearing was closed.

President Russell stated to the Council members that if there were no vote taken on this matter, the decision of the Liquor License Review Committee would stand. He stated if someone wanted to overturn this decision, they would have to make a motion to overturn it.

Councilman Kling reiterated that it had been mentioned off and on over the years about the City buying this property for recreation purposes. He asked what the price would be, stating that he was aware there would have to be an appraisal done. He asked Mr. Brazelton how much they were talking about.

Mr. Brazelton stated that the last appraisal he had had on the property was \$1.2 million, noting that it had five acres of land and most likely more parking than any place in the city. He stated that he had made the statement recently when he had met with the City Attorney that whatever the appraisal would be, he would sell it to the City for 50 cents on the dollar,

and he would take a tax write-off for the other 50 percent.

President Russell asked if there was any Council member who wished to overturn the decision of the Liquor License Review Committee on this matter.

There was no response.

President Russell stated that, therefore, the decision of the Liquor License Review Committee would stand.

President Russell stated that it was the time and place in the meeting for a public hearing on a resolution authorizing the demolition of an unsafe building, constituting a public nuisance, located at 613 Kennan Road, NW.

President Russell recognized Mr. Ken Benion, Director of Community Development.

Mr. Benion stated that the above resolution would declare the building at 613 Kennan Road, NW, an unsafe building and grant them permission to demolish it. He continued that, by State law, this would allow them to sell the property at a tax sale if the owner did not pay the cost of demolition. He stated that this building had been inspected by an independent contractor, and it had been determined that it was not economically feasible to repair. He stated that the owner had been notified of the proposed action and might wish to speak at this time.

Mr. Benion displayed photos of the property, stating that this was basically a hoarding situation in which a fire occurred. He asked for the Council's support in allowing them

to proceed with the demolition.

President Russell asked if there was anyone in the audience who would like to address the Council on this particular matter.

There was no response.

President Russell stated that the public hearing was closed.

President Russell read and introduced a resolution authorizing the demolition of an unsafe building, constituting a public nuisance, located at 613 Kennan Road, NW, as follows:

(RESOLUTION NO. 14-314)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell stated that the next item on the agenda was Public Hearings to Be Set.

President Russell read and introduced a resolution to set a public hearing on an ordinance to amend Article 15, Residence 2-B District, Section 15.1, Uses Permitted, to add single-family attached dwellings as a permitted use, at the June 26, 2014, Regular Council Meeting, as follows:

(RESOLUTION NO. 14-315)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced Ordinance

No. 14-316, amending Article 15, Residence 2-B District, Section 15.1, Uses Permitted, by adding single-family attached dwellings as a permitted use.

Councilman Showers read and introduced a resolution to set a public hearing on an ordinance to amend Article 74, Non-Conforming Lots; Non-Conforming Uses of Land; Non-Conforming Structures; and Non-Conforming Uses of Structures and Premises, by deleting the existing Section 74.1, Non-Conforming Lots of Record, and by adding a new Section 74.1, Non-Conforming Lots of Record and Unified Lots, at the June 26, 2014, Regular Council Meeting, as follows:

(RESOLUTION NO. 14-317)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Showers read and introduced Ordinance No. 14-318, Article 74, Non-Conforming Lots; Non-Conforming Uses of Land; Non-Conforming Structures; and Non-Conforming Uses of Structures and Premises, by deleting the existing Section 74.1, Non-Conforming Lots of Record, and by adding a new Section 74.1, Non-Conforming Lots of Record and Unified Lots.

Councilman Showers read and introduced a resolution to set a public hearing on an ordinance zoning newly annexed property lying on the west side of Dug Hill Road and north of Raintree Road as Residence 1 District, at the June 26, 2014,

Regular Council Meeting, as follows:

(RESOLUTION NO. 14-319)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Culver and was unanimously adopted.

Councilman Showers read and introduced Ordinance No. 14-320, zoning newly annexed property lying on the west side of Dug Hill Road and north of Raintree Road as Residence 1 District.

Councilman Showers read and introduced a resolution to set a public hearing on an ordinance zoning newly annexed property lying on the north side of Mohawk Road and west of Taylor Road as Residence 1-A District, at the June 26, 2014, Regular Council Meeting, as follows:

(RESOLUTION NO. 14-321)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Culver and was unanimously adopted.

Councilman Showers read and introduced Ordinance No. 14-322, zoning newly annexed property lying on the north side of Mohawk Road and west of Taylor Road as Residence 1-A District.

Councilman Showers read and introduced a resolution to declare a public nuisance located at 613 Kennan Road, NW, Huntsville, Alabama, which must be abated by the removal of said public nuisance, and to set the date of May 22, 2014, at

the Regular Council meeting, to hear objections to the proposed removal of said nuisance, as follows:

(RESOLUTION NO. 14-323)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Mr. Benion stated that Resolution No. 14-314, which the Council had considered earlier in the meeting, was concerning the structure located at 613 Kennan Road, NW, and that the above resolution, Resolution No.14-323, which the Council had just adopted, concerned the junk located on the property. He stated that under State law, they had to go through this same process, so that there was a resolution to declare a public nuisance and to set the public hearing to hear objections. He stated that the Council members had already seen the photos concerning this property.

President Russell stated that the next item on the agenda was Communications from the Public. He stated that persons would have three minutes to address the Council.

Ms. Terri Michal, 115 Mill Creek Crossing, appeared before the Council, stating that she was disappointed that the Council had decided not to take another look concerning the liquor license that had previously been discussed, noting that she felt that was very important. She stated, in talking about diversity in the city, that history was important, not just to the mainstream community but to other communities, as well.

Ms. Michal stated that she would like to thank them for the recent meeting, the "Big Picture," noting that it had been very informative and very exciting. She stated that she felt this would give persons the opportunity to address some of the issues of inclusiveness and diversity in the communities. She stated that the transparency they had shown was amazing and that she hoped it continued along that path. She stated that, hopefully, in the focus groups they would be able to have persons from all walks of life who could have input into these.

Ms. Michal stated that actually she was just appearing before the Council to say thank you very much, noting that she was very excited to see what this was going to do in the city.

Councilman Kling stated, concerning the property of Mr. Brazelton on Golf Road, that, geographically, there were not too many recreational facilities in that area, although he was aware there was a park in the vicinity. He stated that they should certainly look into pursuing this and determining what might be worked out, noting that it would certainly be a great neighborhood enhancement if they could somehow use this facility, or have a park, et cetera. He stated that he believed Councilman Culver was going to follow up on this with Mr. Joffrion or the Facilities Department or Finance, etc.

Ms. Michal again appeared before the Council, stating that she would certainly hate to see the building torn down because they could not find a use for it. She continued that she felt the type of club that was being proposed for the location would

be the only kind that would exist and last, noting that the location had been trying to find its identity, and she felt this would be its identity. She continued that she felt that was the only community that would go up there if it was a club. She stated that, however, if they could find other uses for it, she felt that would be a wonderful idea.

Councilman Culver stated that he would like to echo some of Councilman Kling's comments. He stated to Ms. Michal that he was sharing her view that some use of the facility would be good. He continued that he wished they had had the votes for it to continue to be a club, especially considering the sensitivity of some of the experiences that persons who would patronize that particular club were experiencing in other places. He stated that it was a beautiful piece of property. He continued that they could never have too many recreational facilities, and that if they could work it within the budget, he would certainly be willing to stimulate conversations between Legal and the Brazeltons regarding this.

Pastor Troy Garner, 3709 Oakwood Avenue, appeared before the Council, stating that he was the pastor of the Fellowship of Faith Church. He stated that on the prior Monday, May 5, a press conference had been held regarding boycotting local convenience stores that sold drug paraphernalia in open view of children. He continued that the response in support of this initiative had been overwhelming. He thanked Mayor Battle, Councilman Showers, and Councilman Kling for their support of

this. He stated that he also wanted to thank the Huntsville Police Department for their quick response to the communication, and that, also, he wanted to thank Kenny Anderson for his encouragement.

Pastor Garner stated that during the press conference, he had mentioned Father George Clements, a Catholic priest in Chicago, who had piloted the same type initiative in his community. He continued that Father Clements had agreed to come to Huntsville, to the Fellowship of Faith, on Wednesday, June 18, and that he wanted to invite everyone to attend this event, as they sought to make the city and community better.

Councilman Culver stated to Pastor Garner that he certainly was aware of his endeavor and that he supported him and what he was doing wholeheartedly. He asked that he keep up the good work and stated that whatever he could do to help, he was certainly amenable to do.

Mr. Jerry Cox, 4029 Telstar Circle, appeared before the Council, stating that first, as a veteran of the United States Army, he wished to respectfully acknowledge the three U.S. Army soldiers who had been killed in combat in Afghanistan since he had last spoken before the Council.

Mr. Cox stated that he was a real rail fan, noting that this meant that he loved trains. He stated that a few weeks prior, he had gone down to the Huntsville Depot to await the arrival of the circus train, and he had noticed there at the depot, a City entity, that Old Glory was up there all tangled

up with a State flag. He stated that he had called this to the attention of the person in charge at that particular time there at the Depot, and he had gone out and lowered the flag and fooled around with it a little bit and put it back up. He continued that he had been gone for all of April, but that on the prior day, about six weeks later at this time, he had noticed that Old Glory was still all tangled up. He continued that this was a highly gross, improper display of the United States flag. He stated that he had served to defend the flag, and that it irritated him to no end that an entity of this city could not properly display the United States flag. He stated that since he, as an old E-5, could not get it done, perhaps one of the Col. Johns with the City could go down to the Depot and get them to correctly display the United States flag on City property.

Mr. Cox stated that, being a retired Federal public servant, he wanted to remind everyone that the current week was National Public Service Recognition Week, where they recognized the service of the Federal, State, and local employees serving the public. He stated that he wanted to recognize all the City employees that served his family and his community, whether it be the people out mowing the grass on Patton Road or the persons who had picked up the garbage earlier in the day or the police that were always coming by or the firemen that were awaiting his call, all aspects of City employees. He stated that he saluted them during Public Service Recognition Week.

Mr. Dwight Wright appeared before the Council, stating that he had signed up to speak on item 15.s, Resolution No. 14-346, on the agenda, but that he understood that that resolution might not actually be put up for a vote at this meeting. He asked if he could reserve his comments until the resolution was brought to the floor.

President Russell stated that Mr. Wright might want to go ahead with his comments because normally public comment would not be taken when an item on the agenda was being considered by the Council.

Mr. Wright asked if it was being considered by the Council to postpone voting on the subject resolution.

President Russell stated that he could not guarantee it, but that it was his intention to move to postpone the item, and that he would assume that two Council members would go along with that, but he could not guarantee it.

Mr. Wright stated that there were several persons in the audience who would like to speak concerning that matter, but they would like to hold their comments if the resolution was going to be postponed. He asked if there would be an opportunity to speak later in the meeting if the item were considered by the Council.

President Russell stated that if the Council did somehow take up the subject resolution, he would allow them to speak, as a special consideration.

President Russell stated that the next item on the agenda

was Huntsville Utilities Items.

President Russell stated that Councilman Olshefski had notified the Chair that he would recuse himself and abstain from voting on this item.

President Russell read and introduced a resolution authorizing the Mayor to execute an agreement between Madison County, Alabama, and the City of Huntsville, d/b/a Huntsville Utilities, allowing Huntsville Utilities to provide and sell water to Madison County, as follows:

(RESOLUTION NO. 14-324)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell asked Mr. Jay Stowe to introduce himself and his new title and explain the above resolution.

Mr. Stowe appeared before the Council, stating that he was the President and CEO at Huntsville Utilities, and that he appreciated the opportunity to be in attendance at the meeting. He stated that the topic was the proposed water agreement between Huntsville Utilities and Madison County. He continued that this had been a long time in coming, noting that they had spent a lot of time looking at it. He stated that it would provide a 30-year, long-term agreement for Huntsville Utilities to provide water to Madison County. He continued that it would supply a stable supply for the County and a stable revenue source and planning tool for Huntsville Utilities. He stated

that it had already been approved by the County Commission and it came to the Council from the Water Works Board, requesting their approval.

President Russell asked Mr. Stowe how this would benefit the customers in Huntsville.

Mr. Stowe stated that it would provide the Utilities a much more stable supply definition, noting that they were already supplying the county on peak days, and that it also provided a revenue base that would help Utilities stabilize rates longer term.

President Russell asked if any Council member had questions of Mr. Stowe.

There was no response.

President Russell called for a role-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

NAYS: None

ABSTAIN: Olshefski

President Russell stated that the resolution had been adopted.

President Russell stated that the next item on the agenda was Board Appointments. He stated that there were no Board appointments to be voted on at this time.

President Russell asked if there were any Board appointment nominations.

Councilman Kling nominated Donna Alt Parker to the

Beautification Board, for a term to expire October 1, 2014.

President Russell asked if there were any other nominations.

There was no response.

President Russell stated that the next item on the agenda was Approval of Expenditures.

Councilman Kling read and introduced a resolution authorizing expenditures for payment, as follows:

(RESOLUTION NO. 14-325)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Culver.

President Russell called for the vote on the above resolution, and it was unanimously adopted.

President Russell asked Councilman Kling if he had a Finance Committee Report at this time.

Councilman Kling replied in the negative.

President Russell stated that the next item on the agenda was Communications from the Mayor.

Mayor Battle stated that the 5th Annual Mayor's Bike Ride would be held on May 17 at 11 a.m. and stated that they would certainly like to have everyone out riding their bikes that day, noting that it would be a very short run, a 4-mile run. He continued that helmets were required. He stated that there would also be a kids bike rodeo at 9 a.m. He stated that this was being done in conjunction with the Healthy Huntsville Super

Saturday in the Park, from 9 a.m. to noon. He stated that there would be free fitness activities, children's events, cooking and gardening demos, and lots of other fun things happening, in Big Spring Park. He urged everyone to join this event.

Mayor Battle stated that earlier in the day, he had attended the opening of the State Soccer Tournament. He stated that the tournament would begin on the following day in John Hunt Park, noting that these were some of the most beautiful fields one would ever see, that Landscaping and Parks and Recreation had done a fantastic job with the fields. He stated that what kept persons coming back to Huntsville was the work they had done there.

Mayor Battle stated that there would also be regional softball at the Kiwanis Field, noting that this was a regional girls high school softball tournament.

Mayor Battle stated that persons might notice that he had a pin on that said "No Place to Hate." He stated that earlier in the day, there had been a ceremony with the Huntsville City Schools where every school in the system was certified as "No Place to Hate." He continued that this meant that the kids respected each other, that they were anti-bullying, that they believed in recognizing each other's differences and recognizing that they had a good community in which to live. He stated that it was a fantastic ceremony, that it was a great thing to see school children across the system, all 23,000, who

represented that they bought into "No Place to Hate." He stated that this meant that when persons' children or grandchildren went to school, they would have a safe environment, that they would be in a place where they could enjoy the learning process and have a great learning experience.

Mayor Battle stated that he wanted to applaud the School Board for this and asked Ms. Jennie Robinson to convey his congratulations for this initiative. He stated that there had been a lot of effort by the School Board to put this into the system and to make sure that there was quality education. He continued that when they started with "No Place to Hate" and also started with a great academic program, there would be a lot of learning that could go on, and that would really make a difference. He stated that persons had seen the students present earlier in the meeting, and that they had seen that they had to be competitive, not only on the national scene but on the international scene. He continued that this program was one of the ways they would do this.

President Russell stated that the next item on the agenda was Communications from Council Members.

Councilman Olshefski stated to Mr. Cox that the matter concerning the flag would certainly be taken care of and that his input on this was appreciated. He stated that they would get involved in every opportunity they ever saw where the flag was not being flown appropriately.

Councilman Olshefski stated that it had been great earlier in the meeting to see Grissom students involved in academia. He continued that he loved sports, but that it was always great to see academic folks before the Council, as well.

Councilman Olshefski stated that he had not been able to attend the Tuesday event because of illness, but that he had gotten only great feedback on this.

Councilman Olshefski congratulated Harrison Diamond, noting that he felt the Mayor had done a phenomenal job on everyone he had selected to work on his staff, that they were always super persons, and that Mr. Diamond was falling right in that zone. He stated that he was a big fan of the Chamber, and he was honored that Mr. Diamond was coming to the City.

Councilman Culver stated that he was also elated that Mr. Diamond would be working with the City, that he felt it was just a continuation of the relationship that had begun when Mr. Diamond had gone to work for the Council and he had been elected to the Council. He stated that he was certainly looking forward to continuing working with him.

Councilman Culver stated that he had been in Mobile for the Alabama League of Municipalities meeting, and, as always, he was really appreciative of the opportunity. He continued that he was even more grateful once he was back in the city. He stated that they had had an opportunity to meet with all the mayors and Council representatives throughout the state. He continued that it was amazing to learn about some of the issues

other municipalities were experiencing, and that it was always good to be able to chime in and contribute to whatever concerns they might have, and, likewise, benefit from some of these, as well.

Councilman Culver stated that persons were truly blessed to be in Huntsville, and that he was reminded of that every time he had the opportunity to travel to other places and compare what other cities were doing. He stated to President Russell that the way he was running the Council was right on point, in terms of the minutes they allowed the public to speak, and also allowing them to come back and speak at the end of the meeting, noting that he certainly appreciated what he was doing.

Councilman Culver asked if Mr. Benion, Director of Community Development, was present.

Mr. Benion came to the microphone.

Councilman Culver stated to Mr. Benion that he had gotten a complaint regarding a property in Providence, noting that this was the first such complaint he had had in the prior six years. He continued that this was concerning property located at 1 Beck Street. He stated that he had gone by to view this property earlier in the day and had been surprised to see that the garage was boarded up with wood and the grass had grown up, noting that the property looked abandoned, and that it was becoming an eyesore. He stated that they usually did not have much of that in Providence. He stated that if someone from

Community Development could look into this, he would certainly appreciate it. He continued that he would like for them to let him know about this, so that he could advise the complainant concerning it, as to what, if anything, they could do. He asked Mr. Benion if he was, by chance, familiar with this property.

Mr. Benion replied in the negative but stated that they could get someone out to look at it on the following morning.

Councilman Kling stated that in the prior few weeks, he had had the opportunity to work with three neighborhood groups on restarting their Community Watch groups: Triana Village, McThornmore Acres, and Westlawn. He stated that these were groups that had had Community Watch organizations in the past, and they had gone dormant, but that they were getting reactivated at this time. He stated that there was great neighborhood participation in this and that he had been very proud to be able to participate in some of their meetings. He continued that there had been great resources from the Police Department to provide assistance to these neighborhoods, which he noted was very much appreciated.

Councilman Kling stated that on the prior Sunday, he had attended the Huntsville Holocaust Remembrance Day Ceremony, which was held at the Museum of Art. He continued that it had been very sombering to hear first-hand accounts of the Holocaust, what it meant, and the way it impacted families in this community.

Councilman Kling stated that he had also participated in the remembrance at Merrimack Cemetery, which was an event to recall the heritage of the Merrimack Mill community and what it had meant to the community, and to certainly pay homage to the great things the current neighborhood association was doing.

Councilman Kling stated that on the prior Monday evening, working with the Holiday Homes Neighborhood Association, there had been a meeting of seven West Huntsville neighborhoods, including Crestwood, Merrimack, Holiday Homes, Lowe Mill, Triana Village, Bailey-Patton Estates, and Westlawn, with the school superintendent, Dr. Wardynski, to discuss empty schools and the impact this would have on the area.

Councilman Kling stated that he was appreciative that Councilman Showers had also been in attendance at the meeting, noting that he had asked some very poignant questions concerning the emptying of Butler High School and the impact of it on that area. He stated that empty schools were not good things. He continued that there was concern in the McDonnell School and the West Huntsville Elementary School neighborhood areas, as well as Stone Middle School and University Place School areas. He stated that he believed some good information had been exchanged.

Councilman Kling stated that no great disclosures had been made, but it appeared that the school system was working on this. He stated that whether it was the City School System's rezoning plan or the Justice Department's rezoning plan, all

these schools were being impacted. He stated that these empty buildings in the neighborhoods were not good things, that they would attract the homeless and persons who were just going to vandalize and throw rocks through the windows. He stated that, hopefully, they would be hearing some good, neighborhood-friendly announcements from the school system concerning these school buildings.

Councilman Kling stated that he would like to say Happy Mother's Day to all the mothers in the audience and yield the remainder of his time to his guest Council Member For the Day, Ms. Reed.

Ms. Reed stated that first she would like to thank Mayor Battle, Mr. Tom Cunningham, and Mr. Jerry Cox for the recognition of Public Works and Public Services. She stated that she would also like to thank all the City employees for the great job they did for the city of Huntsville, noting that she was pushing for a raise for them on that side of the fence, as always.

Ms. Reed stated that she had attended the Mayor's meeting on the prior Tuesday evening, and that she had heard from the Planning Department "No chickens in the city." She stated that it had been a great meeting, although persons had not heard what was going to be done in the future. She stated that when there were some future plans made, she would certainly like to be a part of it.

Ms. Reed stated that she had also attended

Councilman Kling's meeting on the prior Monday evening, and that he had had a good meeting, noting that she appreciated him letting her talk. She stated that she had had to take on a good friend of hers, Dr. Casey Wardynski. She stated that he was a dear friend of hers, but when they talked about selling Butler and closing it down, along with McDonnell School, she was concerned. She stated that when persons came into town, they bought their homes according to the school districts, where their kids would be going to school. She stated that she was still fighting with her dear friend, as well as the School Board, about shutting all these schools down and not having a high school in the center of the city.

Ms. Reed stated that she appreciated Councilman Kling recognizing her, noting that her daughter had purchased the certificate and had hesitated to call Councilman Kling, but that it was her Mother's Day present. She stated that she believed Councilman Kling had wanted her daughter on the podium, but her daughter had thought it would be best for her.

Ms. Reed stated that she would like to thank all the people of the city of Huntsville, and especially the group on the podium, for putting up with her for the many years and the many comments, and all the issues she had taken on. She stated to Mayor Battle that she appreciated him also.

Councilman Showers asked if Randy Taylor was still present at the meeting.

Mr. Taylor appeared at the microphone.

Councilman Showers stated to Mr. Taylor that he had received a call just prior to the Council meeting about a license renewal. He stated that the individual had indicated that they had the money to take care of the taxes, but that the City would not receive it. He stated that he would like to meet with Mr. Taylor after the meeting to see if this matter could be cleared up on the following day.

Mr. Taylor stated that he would meet with Councilman Showers after the meeting.

Councilman Showers asked if Chief Morris of the Police Department was present.

Chief Morris appeared at the microphone.

Councilman Showers stated to Chief Morris that persons had heard that this week, all over the state of Alabama, there had been the initiative to address a commercial drug that was going across the country, noting that an earlier speaker in the meeting had addressed the drug situation. He asked if Chief Morris could provide a status on the situation in Huntsville with the vendors that were selling this paraphernalia in the city.

Chief Morris stated that the substance that Councilman Showers was referring to was a synthetic narcotic, a synthetic drug, called "spice." He stated that this was the way it was referred to in the street. He stated that it was largely sold in small convenience stores, that when it first came out, it was sold over the counter. He stated that,

however, the Legislature had passed a law, and that it was illegal to sell it. He stated that it was a very dangerous substance, and that it appeared to be a substance of choice for young persons. He stated that it was now generally sold under the table, much like the black market drug trade.

Chief Morris stated that the DEA had had a nationwide initiative on this. He continued that they had located the largest amount in Madison County, with a Federal search warrant, noting that this was approximately 200 pounds. He stated that they had also had search warrants at a convenience store and on individual residences. He stated that these would be passed on for Federal prosecution, through the DEA.

Chief Morris stated that the items that Pastor Garner had been referring to were scales, little base pipes that were commonly used for crack, rolling papers, things that one would see when going into a convenience store, that would be right there on the counter. He stated that at this particular point in time, it was not illegal to sell those items, but that they made it clear that they did not like it, and they took an aggressive stance against it. He stated that perhaps they could work together at some point in time to make the sale of those items illegal, just as they had done with spice. He stated that Ms. Deborah Soule at the Partnership for a Drug-Free Community was one of their partners, and that she had been very instrumental in getting the Spice law passed with the Legislature in the prior year.

Councilman Showers stated that on the prior weekend, he had been tremendously touched by the Police Department. He stated that there was the funeral of Mother Odell Kelly, and it had been very touching to see so many police personnel in attendance at the service. He continued that she had had two sons in the Police Department, with one still being with them. He stated that there had been an outpouring of support from the Police Department for that family, and that he wanted to pass that on to Chief Morris. He stated that in the city persons openly came together, and the support coming from the police officers was so obvious at the final service.

Chief Morris thanked Councilman Showers for his comments and stated that he would certainly pass them on. He stated that Officer Kelly was a valued member of the Police Department, and that he was also a member of the Blue Notes.

Councilman Showers stated that earlier in the day, he had had the opportunity to attend the annual luncheon for the State Soccer Championship, along with Mayor Battle and President Russell. He stated that they were always delighted to host this event and stated that, as the Mayor had already indicated, there was not only the soccer but the girls softball in the city. He urged persons to attend these events.

Councilman Showers stated that Drake Technical Community College was holding their commencement on this evening.

Councilman Showers stated that many persons were aware that Mr. Tory Green was the scoutmaster of Boy Scout 400, and

he stated that they were having a ceremony at 6 p.m. on the following Friday at Rhyne Village, honoring an Eagle Scout.

Councilman Showers stated that he had attended Councilman Kling's meeting with the Southwest community groups during the week and that he had also attended the meeting with the Mayor, where the community had had an opportunity to come together and get an idea of where the city was headed, including all sectors of the city.

Councilman Showers stated that he had been immensely pleased with Mr. Dennis Madsen's comments concerning where Huntsville was headed. He stated that then they had had sub meetings with individuals of particular interests. He stated that he had attended the one Mr. Madsen was conducting, and that the first thing he had talked about was North Huntsville, noting that he was very excited that Mr. Madsen did in fact have a plan for North Huntsville. He stated that Mr. Madsen had ended this discussion by saying that he really could not give persons what they were asking him to give them, that he needed their support.

Councilman Showers stated that he wanted to say to North Huntsville that when these meetings were scheduled for that part of town, they needed everyone to be in attendance, to give their input. He stated that they needed to put in what they wanted to see happen in that part of the city.

Councilman Showers stated to Mayor Battle that he certainly appreciated the meeting that was held.

President Russell stated that he would like to echo some of the comments about the State soccer tournament being held in the city, noting that the Randolph girls would play at 9 on the following day and the Randolph boys at 11:15, and that the Huntsville High boys and girls would both play, as well, later in the afternoon and evening. He urged persons to go out and support this event.

President Russell stated that earlier in the day, the Executive Director of the State High School Athletic Association had congratulated the City for having the tournament for three more years, and that he had stated it was not anything the Mayor did or anything the Council did, that it was all about the Landscape Department and how good the fields were. He congratulated the Landscape Department for this.

President Russell stated that the next item on the agenda was Unfinished Business Items for Action.

President Russell moved for approval of Ordinance No. 14-281, annexing land lying on the west side of Old Big Cove Road and north of Byrd Drive, which ordinance was introduced at the April 24, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-281)

Said motion was duly seconded by Councilman Showers.

President Russell asked Ms. Lisa Leddo of the Planning Division for an explanation of the above ordinance.

Ms. Leddo stated that this area that she was displaying,

highlighted in purple, was 1.91 acres of property lying on the west side of Old Big Cove Road and north of Byrd Drive. She stated that this was residential land, and that there was one existing single-family detached dwelling on the property, and that they were annexing for City services.

President Russell called for the vote on the above ordinance, and it was unanimously adopted.

President Russell moved for approval of Ordinance No. 14-282, annexing land lying on the south side of Knotty Walls Road and west of Old Big Cove Road, which ordinance was introduced at the April 24, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-282)

Said motion was duly seconded by Councilman Showers.

President Russell recognized Ms. Leddo.

Ms. Leddo stated that, again, this was the area shown in purple. She continued that it was 1.21 acres of property, and that it was residential land, with an existing single-family detached dwelling on the property, and that they were annexing for City schools.

President Russell called for the vote on the above ordinance, and it was unanimously adopted.

President Russell moved for approval of Ordinance No. 14-283, annexing land lying on the east side of Old Big Cove Road and south of Miller Lane, which ordinance was introduced at the April 24, 2014, Regular Council Meeting, as

follows:

(ORDINANCE NO. 14-283)

Said motion was duly seconded by Councilman Showers.

President Russell recognized Ms. Leddo.

Ms. Leddo stated that this was 3.0 acres of residential land, with an existing single-family detached dwelling on the property, and that the owners were annexing for City schools.

Councilman Kling asked if this was to remain property with one building or if there would be additional building on the property.

Ms. Leddo stated that it was just a large lot, that it was one single-family detached dwelling, and that that was all that was planned for the property.

President Russell called for the vote on the above ordinance, and it was unanimously adopted.

President Russell stated that the next item on the agenda was New Business Items for Introduction.

President Russell read and introduced Ordinance No. 14-326, changing a street name from Pentastar Drive to Remington Trail, SW.

President Russell read and introduced Ordinance No. 14-327, to amend Section 13 of Ordinance No. 04-315, Personnel Policies and Procedures, for modification to the Conduct and Disciplinary Policy.

President Russell moved that unanimous consent be given for the immediate consideration of and action on said

ordinance, which motion was duly seconded by Councilman Kling.

President Russell called for a roll-call vote on the above motion, and the following vote resulted:

AYES: Culver, Olshefski, Kling, Russell

NAYS: Showers

President Russell stated that they did not have unanimous consent on this, and that the item had been introduced and would be voted on at the next regular meeting of the Council.

President Russell read and introduced Ordinance No. 14-328, adopting changes made by the Madison County Commission to voting precincts within Madison County, Alabama.

President Russell moved that unanimous consent be given for the immediate consideration of and action on said ordinance, which motion was duly seconded by Councilman Kling.

President Russell called for a roll-call vote on the above motion, and the following vote resulted:

AYES: Culver, Olshefski, Kling, Russell

NAYS: Showers

President Russell stated that they did not have unanimous consent on this, and that the item had been introduced and would be voted on at the next regular meeting of the Council.

President Russell read and introduced Ordinance No. 14-329, amending Chapter 3, Article II, Subsection (c), Arts and entertainment districts established, of Section 3-27 of the Code of Ordinances of the City of Huntsville, as follows:

(ORDINANCE NO. 14-329)

President Russell moved that unanimous consent be given for the immediate consideration of and action on said ordinance, which motion was duly seconded by Councilman Showers, and upon said motion being put to vote, the following vote resulted:

AYES: Culver, Olshefski, Kling, Showers, Russell

NAYS: None

President Russell stated that the motion for unanimous consent for immediate consideration of and action on said ordinance had been unanimously carried.

President Russell thereupon moved that said ordinance be finally adopted, which motion was duly seconded by Councilman Showers.

President Russell asked Mayor Battle for an explanation of the above ordinance.

Mayor Battle asked Mr. Hamilton to provide the explanation.

Mr. Hamilton stated that they had been working with Downtown Huntsville, Inc., which had been doing a lot of events downtown. He stated that they had worked closely with the Police Department to identify some safer places to do some of the events that had been growing much larger than they had originally had. He stated that Lt. Rice of the Police Department had identified two or three places where they would like to hold these events, where it would be easier to close

the roads and would require fewer resources from the Police Department and would also be safer for the public. He stated that one of these was Fountain Circle, which he noted had been identified specifically for the May event.

Mr. Hamilton stated that as they had gone through this planning process, they had determined that there was a portion of Fountain Circle that was not included in the current Entertainment District boundaries. He continued that this change would extend the boundaries down Fountain Circle and also connect it to the portion on Gates Avenue, so that they would not put the public in the position of inadvertently violating the ordinance by moving around with alcohol. He stated that this left the City Hall outside of the district, as the Council had always intended, that it just moved the boundary down Fountain Circle, including the sidewalk, so that they could hold these public events in that area.

President Russell asked if any of the Council members had any questions concerning this matter.

There was no response.

President Russell called for the vote on the above ordinance, and it was unanimously adopted.

President Russell stated that the next item on the agenda was New Business Items for Consideration or Action. He reiterated that items 15.a, 15.t, and 15.v had been deleted from the agenda.

President Russell moved for approval of a request to

advertise and fill position of Floodplain Management Analyst, Pay Grade 15, and to fill position at steps higher than minimum within the pay grade if necessary, which motion was duly seconded by Councilman Kling and was unanimously approved.

President Russell moved for approval of a request to advertise and fill position of Deputy Director of City Engineering, Pay Grade 20, and to fill position at steps higher than minimum within the pay grade if necessary, which motion was duly seconded by Councilman Kling and was unanimously approved.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement with the low bidder, McCord Construction, for Periodic Bid for Sanitary Sewer Bore Items-2014, Project No. 65-14-SP16, as follows:

(RESOLUTION NO. 14-330)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to modify the agreement with Arcadis, U.S., Inc., for Engineering Design Services for Dallas Branch/Pinhook Creek, Phase I, Project No. 65-13-DR03, by Modification No. 1, as follows:

(RESOLUTION NO. 14-331)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling

and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement with AMEC Environment & Infrastructure, Inc., for Engineering Hydraulic Modeling Services and Letter of Map Revision (LOMR) Submittal for a Portion of Tributary 3 to Indian Creek, Project No. 65-14-DR01, as follows:

(RESOLUTION NO. 14-332)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to amend the contract with SJ&L General Contractor, L.L.C., for Cecil Ashburn Turn Lane, Project No. 65-14-TI01, by Change Order No. 1, as follows:

(RESOLUTION NO. 14-333)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to modify the agreement with Johnson & Associates Consulting Engineers, L.L.C., for Engineering Design & Construction Administration Services for Carmichael Park, Project No. 65-12-DM25, by Modification No. 3, as follows:

(RESOLUTION NO. 14-334)

President Russell moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to modify the agreement with Sharp Communications, Inc., for Radio Tower Sublease Agreement, by Modification No. 1, as follows:

(RESOLUTION NO. 14-335)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into an Agreement with the low bidders meeting specifications as outlined in the attached Summary of Bids for Acceptance, as follows:

(RESOLUTION NO. 14-336)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced an ordinance to amend Budget Ordinance No. 13-630, by changing appropriated funding for various departments and funds, as follows:

(ORDINANCE NO. 14-337)

President Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution

authorizing the acceptance of donations, as follows:

(RESOLUTION NO. 14-338)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement with Alfred Benesch & Company for 2014 On-Call Traffic Engineering Services, Project No. 65-14-TI03, as follows:

(RESOLUTION NO. 14-339)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution of support and approval of the Aldridge Creek Greenway Extension from Weatherly Road to Esslinger Road, as follows:

(RESOLUTION NO. 14-340)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution of support and approval of the EUL Pedestrian-Bikeway Corridor between Redstone Arsenal and Governors Drive West, as follows:

(RESOLUTION NO. 14-341)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling

and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and Norman Stoddart, d/b/a Iceworks Shaved Ice and More, as follows:

(RESOLUTION NO. 14-342)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Clerk-Treasurer to invoke National Bank of Commerce Letter of Credit No. 400684700 for Cypress Gardens at Lake Forest Subdivision, as follows:

(RESOLUTION NO. 14-343)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Clerk-Treasurer to invoke Bryant Bank Letter of Credit No. 1115 for Green Way Park Subdivision, as follows:

(RESOLUTION NO. 14-344)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing City Attorney to settle the workers' compensation

claim of Billy Killian, as follows:

(RESOLUTION NO. 14-345)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

Councilman Showers read and introduced Resolution No. 14-346, revoking that certain license agreement between the City of Huntsville and Dwight Wright, approved by Resolution No. 13-568 on July 25, 2013.

Said motion was duly seconded by President Russell.

President Russell stated that it was his intention to move to postpone this matter until the next Regular Meeting of the Council and asked if any Council member would like to comment on this prior to his making said motion.

Councilman Kling stated that he would certainly support President Russell's motion, stating that he had heard all of the comments that had been made concerning this matter, and that now they were getting into more negotiations, with lawyers, et cetera, and that hopefully something would get resolved. He stated that he believed a 7-foot fence would be a reasonable compromise.

President Russell moved to postpone consideration of Resolution No. 14-346 until the next Regular Meeting of the Council, on May 22, 2014, which motion was duly seconded by Councilman Showers, and was unanimously approved.

Councilman Showers read and introduced a resolution

authorizing the Mayor to approve and submit the 2014 Annual Action Plan, as follows:

(RESOLUTION NO. 14-347)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling.

President Russell asked Mr. Benion to briefly discuss the highlights of this plan and then advise him as to how it would affect District 2.

Mr. Benion stated that he would first explain the Action Plan, stating that his department did a five-year consolidated plan, and that each year they did an Action Plan to advise HUD as to how they proposed to spend the funds they believed they would receive from them. He stated that the highlights of the Plan were, basically, that they had CDBG funds in the amount of approximately \$1,272,513, and that of that \$175,000 would go to organizations, noting that in the past this had gone to the Boys and Girls Club. He continued that approximately \$450,000 of this would go into Code enforcement. He stated that they had put some money in at this time for removal of blight, for some of the houses, that they were using this to pay for the demolition of particular properties. He stated that they also had money going into weatherization under the CDBG funds, noting that they helped senior citizens who were qualified incomewise with making their houses energy efficient, which he noted would ultimately save money for the persons who qualified, that it would put more money in their pocket if they

did not have to spend it on utility bills.

Mr. Benion stated that these were the basic highlights of the CDBG funds.

President Russell asked if the Council members had any questions for Mr. Benion.

There was no response.

President Russell called for the vote on the above resolution, and it was unanimously adopted.

President Russell stated that the next item on the agenda was Non-Roster Communications from the Public.

He stated that if persons would like to address the Council, they should go to the microphone at this time.

There was no response.

Upon motion, duly seconded, it was voted to adjourn.

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK-TREASURER